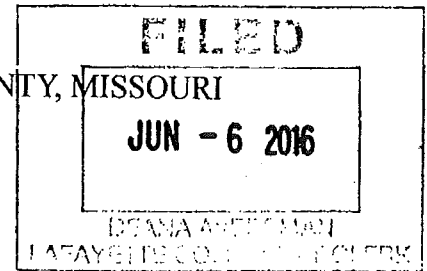


IN THE 15th JUDICIAL CIRCUIT COURT, LAFAYETTE COUNTY, MISSOURI

CIVIL CIRCUIT DIVISION



DARRELL MCCLANAHAN AND APRIL MILLER-MCCLANAHAN,

Petitioner(s),

Civil Case No: 16LF-CV00580

V.

CIVIL COMPLAINT

STATE OF MISSOURI,

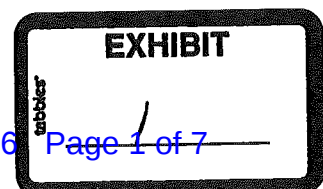
And Chief MARK LAMPHIER,

Respondent.

COMPLAINT

Comes Now the Petitioners', Darrell McClanahan and April Miller-McClanahan, proceeding pro se, and does request this Honorable Court to grant this Complaint; with these supporting reasons as follows:

1. The Petitioners are residents of Lafayette County, Lexington, Missouri. The Petitioners are individuals and this is the jurisdiction for this cause of action.
2. The Respondents are individuals'/state entity of Lafayette County, Lexington, Missouri. This is the proper jurisdiction for this cause of action.
3. The Petitioner (Darrell McClanahan) was arrested on 02/17/2016 for resisting arrest and criminal theft with deception. This criminal offense is based on inaccurate information. Please review case number 16LF-CR00130 / 16LF-CR00130-01.
4. The Respondent is the Chief of Police Lexington Missouri (Mark Lamphier) and does work for the State of Missouri of Lafayette County Lexington, Missouri. The Respondent is the personal



friend of the said victim in the above case numbers. K.R. and Lamphier's relationship is clearly a conflict of interest. In the past, Police chief Mark Lamphier, has been investigated for unauthorized use of law enforcement tools MULES system (City of Lexington Special Meeting December 28, 2009) and Using John Chasnoff v. St. Louis Bd. of Police Comm'rs, et al. No. ED101748. The Petitioner's believe this has been ongoing behavior by Mark Lamphier. The Petitioner filed a mandamus on 05/12/2016 and other motions that were never properly heard by the court. The Petitioner filed immediate motions to defend himself show cause, preliminary hearing and the prosecution office headed by Kristen Ellis refiled the case in different circumstances without answering motions that were filed to the court in a timely manner. The Petitioner is not receiving a fair trial in this merit and the State of Missouri never investigated the chief of police, Mark Lamphier's actions or answered the allegations of the police chief's threatening, intimidating, and stalking acts. The Petitioner requested a change of venue and this cause of action was ignored by the court. K.R. is well- known by the 15th Judicial and has been awarded many favorable judgements. The Petitioner is not receiving his fundamental right of a fair hearing under the 6th amendment or his due process right of equal protection of the law. The Respondent (State of Missouri) will not appoint counsel and the Petitioner is forced to argue his case pro se. The Petitioner went to court on 05/16/2016 and presented a motion of argumentation in authority; this motion was misdated by the Lafayette County clerk's office. No relief was given for the mandamus or any form of justification to show cause why this case has not been dismissed for lack of evidence, hearsay, and the conflict of interest that has clearly occurred on the chief of police, Mark Lamphier's, part in this merit.

5. The petitioner (April Miller- McClanahan) was threatened, intimidated, and promised leniency. Lamphier began with telling the Petitioner that he was going to take her to jail and remove the small children; he said he would not pursue resisting charges against Darrell. The Petitioners now know this was a lie. The Respondent made false statements repeating K.R.'s hearsay's

statement that Darrell receives disability and did not cash the check for this reason. This statement was not made by April Miller-McClanahan at any time during his coerced interview. The Petitioner does not receive disability. The Petitioners believe this was an attempt to defame the Petitioner, Darrell McClanahan, and to justify his deeds.

6. The Petitioner knows that the federal law states clear that all Defendants have to be charged or convicted on accurate information. The complaint information of criminal theft by deception does not fit the criminal intent of the Petitioner and the Petitioner did not take or keep the trailer. The Petitioner requested a preliminary hearing and the Petitioner never received such a hearing by the court after the proper motion was filed for such a hearing. The Respondent (chief of police Mark Lamphier) committed unethical acts to obtain information from the Petitioner's spouse that was in a threatening and intimidating manner. These issues were clearly ignored by the court. Using, Coolidge, 173 Wis. 2d at 789 and Townsend v. burke, 334 U.S. 736-741, State vs. Turner, 223 Kan. 707, 709, 576 P.2d 644; United States vs. Tucker, 404 U.S. 443, 447.
7. The Petitioner deserves the right of a fair hearing and in a professional manner as required by law for every individual or person and this is a fundamental right.

Petitioner brings forth the following counts and allegations supporting his cause of action:

COUNT 1-NEGLIGENCE:

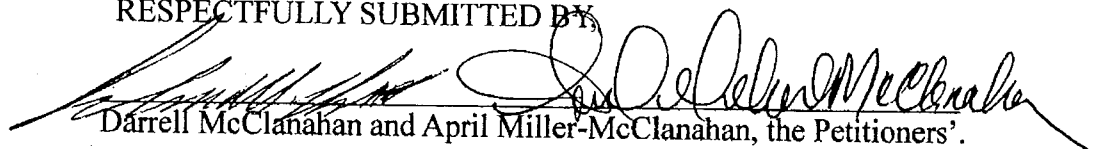
The Respondents' failed to perform the duties of an individual's equal protection of due process of the law by depriving the Petitioners' of their fundamental right to not be threatened, intimidated, harassed, and/or stalked by police officers that are supposed to serve and protect the community without any bias against an individual. The Chief of police, Mark Lamphier, failed his duties and oath under law (Respondent). The Respondents failed the Petitioner by not hearing the proper motions that were filed with the court as an administrative duty to answer a mandamus; especially, if the mandamus has merit. The Respondents acted outrageously, with the intentions to cause or

charge (exitus acta probat). The Petitioner did not commit these acts. Police chief, Mark Lamphier's intimidation, misconduct, and excessive force, which was unprivileged and unwanted by the Petitioners, actually and proximately caused the Petitioners and their family severe emotional distress. The Petitioners deserve relief at this time.

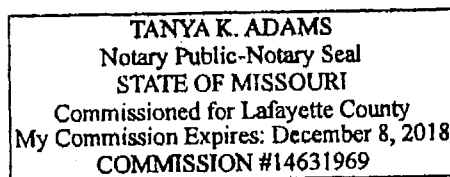
RELIEF FOR THIS MATTER:


1. The Petitioner does request the proper hearing to show cause the Respondents committed this act without justification as required by law.
2. The Petitioner does request the Chief of police, Mark Lamphier (Respondent), would have to answer for his actions and violating his own code of ethics. Reprimand is necessary with demotion.
3. The Petitioners did try to pay the money back upon being notified. Before this action occurred, the Chief of police, Mark Lamphier, filed this action before the Petitioners had a chance.
4. The Petitioner does request relief that his criminal case be dismissed and that the money is returned to the party for the missing trailer.

RESPECTFULLY SUBMITTED BY,


Darrell McClanahan and April Miller-McClanahan, the Petitioners'.

SUBSCRIBED AND SWORN BEFORE ME THIS 6th DAY OF June, 2016.



NOTARY PUBLIC: 
Tanya K. Adams

NOTARY EXPIRES: 12.8.2018

CERTIFICATE OF SERVICE:

This is to certify that a true and correct copy of the foregoing Complaint, was hand delivered and addressed to the following: Clerk of the Circuit Court of Lafayette County, Lexington Circuit Civil Courthouse, Civil Circuit Associate Division, 116 S 10th St, Lexington, MO 64067 and Respondents, State of Missouri and Chief of Police, Mark Lamphier, Police Department of Lafayette county, Lexington, Mo 64067, on this 6th day of June, 2016. The original and (1) Copy.

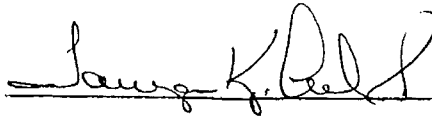
X


Darrell McClanahan and April Miller-McClanahan, the Petitioners'.

2413 Franklin Ave.

Lexington, Missouri 64067

(417) 388-7308



State of Missouri
County of Lafayette
Subscribed and Sworn to Before Me
This 6th Day of June In the Year 2016
My Commission Expires 12-8-2018

TANYA K. ADAMS Notary Public-Notary Seal STATE OF MISSOURI Commissioned for Lafayette County My Commission Expires: December 8, 2018 COMMISSION #14631969
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IN THE 15TH JUDICIAL CIRCUIT COURT, LAFAYETTE COUNTY, MISSOURI

Judge or Division: DENNIS ALLEN ROLF	Case Number: 16LF-CV00580
Plaintiff/Petitioner: DARRELL L MCCLANAHAN ET AL	Plaintiff's/Petitioner's Attorney/Address DARRELL L MCCLANAHAN 2413 FRANKLIN AVE LEXINGTON, MO 64067
Defendant/Respondent: STATE OF MISSOURI ET AL	Court Address: LAFAYETTE COUNTY COURTHOUSE 1001 MAIN P O BOX 10 LEXINGTON, MO 64067
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: STATE OF MISSOURI EX REL PROSECUTING ATTORNEY

SERVE: KRISTEN ELLIS

PO BOX 70 116 S TENTH ST
LEXINGTON, MO 64067

COURT SEAL OF



LAFAYETTE COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

6/6/2016

Date

/s/ Deana Aversman, Circuit Clerk
by Norma Nordsieck, Deputy

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) (title).

☐ other

Served at (address)
in (County/City of St. Louis), MO, on (date) at (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on (date).

My commission expires:

Date

Notary Public

Sheriff's Fees

Summons \$
Non Est \$
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ (miles @ \$. per mile)
Total \$

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 15TH JUDICIAL CIRCUIT COURT, LAFAYETTE COUNTY, MISSOURI

Judge or Division: DENNIS ALLEN ROLF	Case Number: 16LF-CV00580
Plaintiff/Petitioner: DARRELL L MCCLANAHAN ET AL	Plaintiff's/Petitioner's Attorney/Address DARRELL L MCCLANAHAN 2413 FRANKLIN AVE LEXINGTON, MO 64067
Defendant/Respondent: STATE OF MISSOURI ET AL	Court Address: LAFAYETTE COUNTY COURTHOUSE 1001 MAIN P O BOX 10 LEXINGTON, MO 64067
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: MARK LAMPHIER

Alias:

LEXINGTON CITY POLICE DEPT.
LEXINGTON, MO 64067

COURT SEAL OF



LAFAYETTE COUNTY

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____

(name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public _____

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.